

**MINUTES
CITY OF DUNN
DUNN, NORTH CAROLINA**

The City Council of the City of Dunn held a Regular Meeting on Thursday, September 7, 2006, at 7:00 p.m. in the Dunn Municipal Building. Present was Mayor J. Dal Snipes, Pro Tem Donnie Olds, Council Members Buddy Maness, Bryan Galbreath, Billy Tart, Billy R. Godwin, Jr. and Joey Tart. Also present was City Manager Ronnie Autry, Human Resources Officer Moses Gallion, Interim Police Chief BP Jones, City Planner Steven Neuschafer, Librarian Mike Williams, Recreation Director Perry Hudson, City Engineer Ed Powell, City Attorney P. Tilghman Pope, City Clerk Debra West and Daily Record Reporter Steve Reed.

INVOCATION

Mayor Snipes opened the meeting at 7:00 p.m. and asked Council Member Galbreath to give the invocation. Afterwards the Pledge of Allegiance was repeated.

AGENDA ADJUSTMENT

Consensus of Council to adopt the September 7, 2006 meeting agenda with changes, if any, as listed below.

Items Added to the Agenda under "Items for Decision":

- During Public Comment, motion by Council Member Joey Tart, seconded by Council Member Maness to add Temporary Street Closing – N. Lee Ave. from Harnett Street to Broad Street

Agenda Items Removed:

- none

PUBLIC COMMENT

Mayor Snipes opened the floor for a (30) minute public comment period.

Mrs. Millicent Massey, director of The Working Group stepped forward to request that the City Council allow her organization to block Harnett Street as it turns onto N. Lee Street, E. Edgerton Street at the intersection of N. Lee Street and E. Broad Street at the intersection of N. Lee Street on Saturday, September 9, 2006 from 10:00 a.m. until 8:00 p.m. to hold a community event. She explained that The Working Group is a non-profit organization composed of individuals representing different church denominations through-out the Harnett County area who share a vision to go out into the highways and hedges to preach and teach the Word of God to individuals dealing with drug/alcohol addictions, homelessness, AIDS, HIV, domestic violence, child/elderly/spousal abuse, and molestation. She quoted Bible scripture and stated that The Working Group is a visible and productive source of help and information to anyone that desires help. She also asked that the City Council make any donations to help with this event. This event will help the City of Dunn in cleaning up this area.

Mayor Snipes thanked Ms. Massey for her efforts in helping the community. He asked that Ms. Massey submit an application to the City requesting this street closure.

Motion by Council Member Joey Tart, seconded by Council Member Maness to add Temporary Street Closing to the Agenda under "Items for Decision". **Motion unanimously approved.**

PUBLIC HEARINGS

**2nd PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT
ECONOMIC DEVELOPMENT APPLICATION**

The public has been notified that the City of Dunn will hold a Public Hearing on a proposed Small Cities Community Development Block Grant (CDBG) – Economic Development Application. This application

will seek a \$560,000 CDBG-ED grant (49% of project costs) to be used with NC Rural Center Economic Infrastructure Grant, NC DOT Rail Access and local funds to construct an elevated water storage tank, upgrade a lift station, and construct approximately 1,500 l.f. of rail to serve an existing business (Eastern Building Components) and a new business (Old Castle/Adams Products Company) that will locate in the Edgerton Industrial Park.

The CDBG-Economic Development application specifies that each company will create 20 new full-time jobs (40 total new jobs) within 24 months of the CDBG-Economic Development grant award with 60% of these positions being filled by low/moderate-income persons.

The public hearing was duly advertised on August 28, 2006.

Mayor Snipes asked if there was anyone present to speak for or against this CDBG application.

Mr. Skip Green of Skip Green and Associates, grant writer retained by Harnett County, stepped forward to briefly describe this project. The proposed application is for water, sewer and rail improvements in the Edgerton Industrial Park area. Eastern Carolina Components and Adams Products would be the two primary beneficiaries. The sewer and rail improvements will be specific to Adams Products at this time. This company is proposing to have twenty (20) new jobs within a twenty-four month time frame. The sewer improvement involves upgrading a lift station adjacent to the Adams Products property. Also 1500 l.f. of rail will be extended to the Adams Products site. The sewer and rail improvements could also serve other industries that may locate in the area. Other improvements include an elevated water storage tank. At present, there is not sufficient pressure for companies that may require sprinkler systems for fire protection. The elevated tank would be system-wide for Edgerton Park and will interconnect into Dunn's system. The exact location of the tank has not yet been decided.

Funding for this project consists of \$560,000 Community Development Block Grant, \$430,000 Rural Center Grant, \$124,000 North Carolina Department of Transportation Grant for the rail, and \$25,000 in local funds.

Mayor Snipes asked if there was anyone else present to speak for or against this Community Development Block Grant application. Hearing none, the public hearing was closed.

**REZONING REQUEST-PZ 06-06
PIN #1516-38-6449
803 W. CUMBERLAND STREET**

The public has been notified that oral and written comments will be heard and received concerning the request by Mr. Billy N. Tart (Owner) to rezone a portion of one parcel of property located at 803 W. Cumberland Street.

This property is currently zoned R-10 Single Family Dwelling District and is requested to be rezoned to C-O Office and Institutional District.

The public hearing was duly advertised on August 8, 22, & 29, 2006.

Mayor Snipes asked if there was anyone present to speak for or against this rezoning request.

Attorney Dwight Snow, representing the applicant, stepped forward. He stated that this property has 168' of road frontage on W. Cumberland Street. It is located across the street from the T-Mart at the intersection of W. Cumberland and General Lee. This property also fronts on the Auto Zone portion of the Wayne Avenue Shopping Center. The T-Mart property is zoned C-3 Highway Commercial and Auto Zone is zoned C-2 Shopping Center Commercial. To the east side of the tract that is being requested for rezoning, is the Ciccone property, which was recently rezoned to C-0 (Office and Institutional). The property on the west side and the property on the back side is zoned R-10 (Single Family Residential). Mr. Snow stated that the reason for this request is to get this property in line with other properties along this area of US Highway 421. The Jernigan property to the west side of the tract was recently rezoned from R-10 Single Family Residential to C-O (Office and Institutional). Mr. Snow stated that the applicant, Mr. Tart, feels that the highest and best use of this property is C-O. This lot fronts W. Cumberland Street, and extends to

W. Divine Street. Mr. Tart is requesting that only the front portion of this lot consisting of .598 acres be rezoned to C-O. The remaining back portion of .310 acres would remain R-10 as it fronts on W. Divine Street. This matter was heard before the Planning Board at their last meeting, and they unanimously voted to recommend that this rezoning be approved. At that hearing, there were some questions to City Planner Neuschafer from the Board regarding whether the back portion could still be used for residential purposes, (ex. constructing a house). Mr. Neuschafer advised that the back portion of the property could be used for residential purposes. No one opposed the rezoning request during the Planning Board Meeting. Mr. Snow advised that the statement of justification was included in the Council packet. Mr. Snow stated that this rezoning request meets the criteria of the Land Use Plan.

Mayor Snipes asked if there was anyone else present to speak for or against this rezoning request. Hearing none, the public hearing was closed.

**ORDINANCE AMENDMENT REQUEST
OA-03-06 – CONDITIONAL USES IN
C-2 AND C-3 DISTRICTS**

The public has been notified that oral and written comments will be heard and received concerning the request by Tart and Tart, Inc. to amend the listing of Conditional uses within the zoning ordinance for C-2 Shopping Center District and C-3 Highway Commercial District.

This request will add a definition to the Zoning Ordinance for “Commercial Amusement Use.”

The public hearing was duly advertised on August 8, 22, & 29, 2006.

Mayor Snipes asked if there was anyone present to speak for or against this Ordinance Amendment. Hearing none, the public hearing was closed.

**CONDITIONAL USE PERMIT CU 01-06
WAYNE AVENUE SHOPPING CENTER
PIN #1516-39-5002
906 – 1010 W. CUMBERLAND STREET**

A request was received from Tart and Tart, Inc. (owner) of Wayne Avenue Shopping Center to allow a Commercial Amusement Use; Beach Bingo

This property is currently zoned C-2; Shopping Center District and a Conditional Use hearing is required in the Zoning Ordinance, for this type of use.

This public hearing is an opportunity for the Council to hear sworn testimony and receive specific evidence from the public to include any party for or against the request.

The public hearing was duly advertised on August 8, 22, & 29, 2006.

Mayor Snipes yielded to City Planner Neuschafer to give the Council an overview of the procedures for granting a Conditional Use Permit. Mr. Neuschafer stated that under a Conditional Use permit request, you are applying the zoning ordinance to a specific case. Evidence and sworn testimony are specific to a certain piece of property or use of a specific property. The City will invite evidence and testimony by those that wish to speak during the public hearing. All questions and evidence need to be addressed during the public hearing. During the decision process, the Council may only confer among each other, apply conditions and answer the five (5) questions stated in the Ordinance. Once the public hearing is closed, no further evidence may be presented, only clarification upon the facts as given.

City Attorney Pope introduced CU 01-06, a request by Tart and Tart, Inc. for a Conditional Use Permit to allow a commercial amusement use: Beach Bingo. The hearing on this matter is judicial in nature and will be conducted in accordance with special due process safeguards.

Swearing-In:

City Attorney Pope administered oaths to:

City Planner Steven Neuschafer

Mr. Ricky Earnhart

Ms. Fowler

Explanation of Proceeding

Attorney Pope explained that testimony will first be given by City Planner Steven Neuschafer, then from the applicant and their witnesses, and then from opponents to the request. Parties may cross-examine witnesses after the witness testifies when questions are called for. Written evidence, such as reports, maps, or exhibits, may be introduced during or at the end of each witness's testimony. Reports from persons who are not present to testify will not be accepted. Attorneys who speak should not give factual testimony but may summarize their client's case.

City Attorney Pope opened the hearing on Case #CU 01-06 Conditional Use Permit Application and asked for testimony from City Planning Director Steven Neuschafer.

Testimony from the Planner

Planner Neuschafer asked that the documents contained behind tab #18 in the City Council packet which includes the Planning Board's recommendation, staff report, conditional use application, warranty deed, maps, and notification to adjacent property owners with Clerk's certification be entered as evidence. *(A copy of these documents entered as evidence for Case #CU 01-06 Conditional Use Permit is incorporated into these minutes as Attachment #1)*

Wayne Avenue Shopping Center is currently zoned C-2. A Conditional Use Permit would be required to allow for any type of commercial amusement use. Surrounding property uses are commercial in nature except for two parcels across from Cumberland Street, which are residential. The amount of parking on site is sufficient for the size and type of use being requested.

At the end of the City Planner's testimony, Attorney Pope asked if there were any questions of the City Planner, from either the proponents or opponents who had been sworn to testify or by the City Council.

Testimony from the Applicant/Proponents

City Attorney Pope stated that they will now hear from the applicant and other proponents of the project. Attorneys or other representatives who will give a general summary of the client's position, are asked to testify first.

Mr. Ricky Earnhart stepped forward to ask permission to open beach bingo. Beach bingo is a cheaper form of entertainment for people on a fixed income. A lot of people cannot afford to play the bigger bingo games.

Council Member Godwin asked Mr. Earnhart if he had any experience in running a beach bingo business. He responded yes.

Mayor Pro Tem Olds asked Mr. Earnhart if he would explain the difference between a regular bingo parlor and beach bingo. Mr. Earnhart responded that the pay-out amounts differ between bigger bingo games and beach bingo. In regular bingo, pay-outs can be as much as \$2500, however; with beach bingo, the law states that you cannot pay-out more than \$10 per game.

At the end of the Proponent's testimony, Attorney Pope asked if there were any questions of the proponent or applicant for the proposed conditional use permit.

Testimony from Opponents

City Attorney Pope stated that they will now hear from people opposing the request. Attorneys or other representatives who will give a general summary of the client's position, are asked to testify first.

No one spoke in opposition of the request.

Attorney Pope stated that they will now entertain any further questions from the City Council members for the applicant, proponents or opponents at this time. Once the public hearing is closed, the only questions posed to the applicant, proponents or opponents shall be for clarification. No new evidence can be introduced after closing the Public Hearing.

Any conditions the Council would like to place upon the use of the land by the applicant must be agreed by the applicant. Should any Council Member ask the applicant to place conditions/limitations on the use of the land, you must ask the applicant if he/she will voluntarily place these conditions on the use of their property.

Attorney Pope asked Council Members for comments at this time.

Mayor Pro Tem Olds expressed concern with the number of participants and/or crowd that this beach bingo business may attract and if it proves to be popular, will it create potential traffic problems along Highway 421 (Cumberland Street). He also questioned if adequate parking would be provided.

Attorney Pope explained to Mayor Pro Tem Olds that once the Council considers this issue under "Items for Decision" later in the meeting, this may be a due consideration to take into account on the five (5) findings that the Council will have to make if they grant this conditional use. The Council also has the ability to place conditions on the granting of the permit provided they are agreed to by the property owner and the Council may consider and discuss those at that time.

In addressing Mayor Pro Tem Olds concern with the number of participants this business may attract, Planner Neuschafer reminded him that the space occupancy of the use of the building is limited and will be posted by the Fire Marshall based on their square footage and type of seating they have at this facility. That will limit the number of occupants/seating that can be in this space, regardless of how popular beach bingo may be.

Council Member Godwin asked Planner Neuschafer for the proposed hours of operation.

Mr. Earnhart stepped forward and stated that the hours of operation will be Monday thru Friday, 5:30 p.m. until 11:00 p.m.-12:00 midnight and Saturday from 11:30 a.m. until 11:00 p.m.-12:00 midnight. They will be closed on Sunday.

Mr. Earnhart stated that the Fire Marshall has already given him an occupancy limit for this building.

Council Member Joey Tart asked Mr. Earnhart what draws people to play beach bingo; is it the \$10 pay-out per game or per card? Mr. Earnhart responded the pay-out is \$10 per game; adding that it is cheaper to play beach bingo as compared to bigger games which can cost \$75 to \$100 to play. People that cannot afford to play the bigger games all the time can play beach bingo. With beach bingo, a person can play as long as they want and leave without losing money. In comparison with bigger games, a player will invest all their money in the beginning by purchasing packs so if they leave before the game is over, they will lose all of their investment.

Attorney Pope asked if the City Council had further questions of the proponent. With no further questions, the public hearing was closed.

**ORDINANCE AMENDMENT REQUEST
0A-04-06 – FLOOD DAMAGE
PREVENTION ORDINANCE**

The public has been notified that oral and written comments will be heard and received concerning the request by the City of Dunn Planning Department to replace the existing Flood Damage Prevention Ordinance contained in Chapter 9 with the new proposed model Flood Damage Prevention Ordinance as required by the North Carolina Emergency Management and Federal Emergency Management Agency, with an effective date of October 3, 2006.

The public hearing was duly advertised on August 8, 22, & 29, 2006.

Mayor Snipes asked if there was anyone present to speak for or against this Ordinance Amendment.

City Planner Neuschafer stated that the reason for this ordinance amendment is to update the existing Flood Insurance Rate Map (FIRM). This map identifies the one-hundred and five-hundred year flood plain and the floodway for Harnett County. Other communities around the county have also been updating their maps as required by FEMA. The new maps are digital and much more accurate in determining how a property is affected by the flood zone. He explained that once a potential flood zone is identified, a surveyor will find an actual elevation and then adjusting, based on the ordinance, what the finish floor elevation would have to be for any type of building or improvement.

Mr. Jerry Stoops stepped forward and asked for a simplistic explanation as to how this ordinance will affect his property with regard to his insurance rates. He was unable to attend the August 15th Planning Board meeting and he asked for the results of that meeting.

Mr. Neuschafer responded that during the August 15th Planning Board meeting, they unanimously recommended approving this ordinance amendment to the City Council. A public hearing was also held during the Planning Board meeting, allowing for citizen comments.

In simplistic terms, Mr. Neuschafer stated that any property owner that received a notice from the City with regard to the Flood Insurance Rate Map, will be required to show a certificate from a registered surveyor indicating the base flood elevation of their property before any new improvements/additions, new houses or commercial buildings can be erected in these areas. The ordinance would require the finish floor be built two feet above that base flood elevation. This requirement is standard across the state and is found in the City's current ordinance. This requirement will not have any bearing on existing property. The new ordinance reflects the new adopted maps.

Council Member Godwin pointed out that the City currently has a Flood Plain Ordinance. This proposal updates the ordinance to reflect the most recent FEMA Maps. There is a variance procedure built into the ordinance.

Mayor Snipes asked if there was anyone else present to speak for or against this Ordinance Amendment. Hearing none, motion by Mayor Pro Tem Olds, seconded by Council Member Billy Tart to close public hearings and reconvene the regular Council meeting at 7:48 p.m. **Motion unanimously approved.**

CONSENT ITEMS

The following items were considered by Council:

Minutes-Council considered approval of minutes of the August 3, 2006 Council meeting.

Minutes-Council considered approval of minutes of the August 15, 2006 Special Call Meeting.

Tax Releases/Refunds-Council considered approval of Tax Releases/Refunds #124 - #126. *Tax Releases/Refunds are filed in the office of the Tax Collector.*

Permit to Continue Business under Original License at New Location-Council considered approval of The Hair Republic to continue business from 206 North Ellis Avenue to 710 West Broad Street and CoCo's Boutique to continue business from 2330 West Cumberland Street (Henry's Flea Market) to 303 East Broad Street. *Permits to Continue Business are filed in the office of the Tax Collector.*

Budget Amendments-Council considered approval of Budget Amendments #8 - #9 – *A copy of Budget Amendments #8 - #9 is incorporated into these minutes as Attachment #2.*

Destruction of Records (Finance Department)-Council considered approval of destruction of records within the Finance Department that have exceeded the required retention time pursuant to the Municipal Disposition Schedule. *A list of those records that have exceeded the required retention schedule and approved for destruction is incorporated into these minutes as Attachment #3.*

ABC Board Reappointment-Council considered approval of reappointing Mr. Charles Smith of 800 West Carr Street to a second three (3) year term on the ABC Board ending June 30, 2009.

Motion by Council Member Galbreath, seconded by Council Member Joey Tart to approve all consent items. **Motion unanimously approved.**

ITEMS FOR DECISION

**COMMUNITY DEVELOPMENT BLOCK
GRANT RESOLUTION-
ECONOMIC DEVELOPMENT APPLICATION**

The Council is being asked to adopt a Resolution to pursue a formal application for Community Development Block Grant Funding-Economic Development to benefit Old Castle/Adams Products and Eastern Building Components located in Edgerton Industrial Park.

Motion by Mayor Pro Tem Olds, seconded by Council Member Maness to adopt the Resolution Regarding the City of Dunn Submitting an Application for CDBG Economic Development Funds. **Motion unanimously approved.** *A copy of Resolution (R2006-15) Regarding the City of Dunn Submitting an Application for CDBG Economic Development Funds is incorporated into these minutes as Attachment #4.*

**RESOLUTION TO ADOPT POLICIES
AND GUIDELINES FOR CDBG PROJECT**

The Council is being asked to adopt this Resolution to Adopt Policies and Guidelines for the City of Dunn's Small Cities Community Development Block Grant Project.

Motion by Council Member Joey Tart, seconded by Mayor Pro Tem Olds, to adopt the Resolution to Adopt Policies and Guidelines for CDBG Project.

Mayor Snipes asked for further discussion.

Council Member Godwin stated that there are several proposed policies the Council is being asked to adopt in order to apply for CDBG funds and questioned their applicability to this grant. He questioned that some of these policies seem disjointed and asked Mr. Green if they are required. These policies cover subjects from law enforcement to contracting for services. There seems to be no coherence to them. Mr. Skip Green responded that these policy requirements are a result of going after federal money and all of the policies provided to the Council are required by the Federal Government. He agreed that these policies seem to cover a hodge-podge of subjects.

Mr. Green stated that Harnett County will be providing the funding for this project. The City of Dunn will not be required to provide any funding.

Motion unanimously approved. *A copy of Resolution (R2006-16) to Adopt Policies and Guidelines for CDBG Project is incorporated into these minutes as Attachment #5.*

Mayor Snipes recognized Harnett County Economic Director LeeAnne Nance in the audience and he thanked Harnett County for the opportunity to partner with the County on this project.

**REZONING REQUEST
PZ 06-06
PIN #1516-38-6449
803 WEST CUMBERLAND STREET**

Due to a conflict of interest, Council Member Billy Tart and applicant for this rezoning request asked the Council to excuse him from any discussion and vote of this issue. Council consensus was to excuse Council Member Billy Tart.

Mayor Snipes stated that a request was received from Billy N. Tart (Owner) to rezone a portion of a tract which spans between Cumberland and Divine.

This portion of property is currently zoned R-10 Residential District and is requested to be rezoned to C-O Office and Institutional District. The remaining portion will remain R-10.

The Planning Board met on August 15, 2006 and recommended approval of this request.

Motion by Council Member Godwin, seconded by Council Member Maness to approve the request by Billy N. Tart to rezone the front portion tract of property consisting of .598 acres located at 803 W. Cumberland Street from R-10 Single Family Dwelling District to C-O Office and Institutional District based on the following justification:

- C-O is consistent with the 2030 Land Use Plan.
- The rezoning request is not inconsistent with the evolving land use pattern for the Cumberland Street corridor.
- The permitted uses in the C-O District are not considered detrimental to the neighborhood and would be a benefit to the entire community.

Motion carried 5-0 with Council Member Billy Tart abstaining due to a conflict of interest.

ORDINANCE AMENDMENT REQUEST

OA-03-06

CONDITIONAL USES IN C-2 AND C-3 DISTRICTS

A request was received from Tart and Tart, Inc. to amend the listing of conditional uses for the C-2 and C-3 zoning districts.

This request will amend Chapter 22-Article I-Section 22-1 Definitions by adding commercial amusement use and Chapter 22-Article IX (conditional uses)-Section 22-461 by adding commercial amusement use to (6) (a) C-2 Shopping Center District and to (7) (j) C-3 Highway Commercial District.

The Planning Board met on August 15, 2006 and recommended approval of this request.

Motion by Mayor Pro Tem Olds, seconded by Council Member Galbreath to amend the listing of Conditional Uses for the C-2 and C-3 Zoning Districts and add the Commercial Amusement Use Definition based on the following justification:

- This change in the Ordinance is consistent with the 2030 Land Use Plan
- This proposed conditional use in these districts is not considered detrimental to a commercial use neighborhood and would be a benefit to the entire community after finding facts which supported a specific request.

Motion unanimously approved. *A copy of OA-03-06 is filed in the Ordinance Book as O2006-05.*

CONDITIONAL USE PERMIT CU-01-06

WAYNE AVENUE SHOPPING CENTER

PIN #1516-39-5002

906 – 1010 W. CUMBERLAND STREET

A request was received from Tart and Tart, Inc. (owner) of Wayne Avenue Shopping Center to allow a Commercial Amusement Use; Beach Bingo.

This property is currently zoned C-2 Shopping Center District.

Motion by Council Member Godwin, seconded by Council Member Joey Tart to approve the following findings of fact. **Motion unanimously approved.**

1. The use requested per OA-03-06 is listed among the conditional uses in the district for which the application is made.

2. The requested use is essential or desirable to the public convenience or welfare.
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. This use is addressed in the General Statutes (G.S. 14-309) which limits the prizes and operations. Therefore, after reviewing the location and requirements of the establishment, it is not going to be detrimental to the community.
4. The requested use will be in conformity with the 2030 Land Use Plan. It is in the appropriate zoning district.
5. Adequate utilities, access roads, drainage, sanitation, and other necessary facilities have been or are being provided. All facilities are being provided to this established shopping center.

Mayor Snipes entertained discussion and/or motion on conditions, if any, to impose on this Conditional Use Permit.

The Council discussed types of conditions that could be imposed on the permit.

Motion by Mayor Pro Tem Olds, seconded by Council Member Godwin to impose a condition of the Conditional Use Permit – Sunday operation hours shall not commence prior to 3:00 p.m.

Mayor Snipes asked for further discussion.

Council Member Maness questioned why the Council would consider imposing restrictions on this business as opposed to other businesses that are open on Sunday. Mayor Pro Tem Olds responded he is thinking about the nature of the business. One could interpret this operation as gambling.

Mayor Snipes called for a vote to impose a conditional use on this business, that should the owner consider opening on Sundays, business could not commence before 3:00 p.m.

<i>Ayes</i>	<i>Nays</i>
Olds	Maness
Godwin	Galbreath
B. Tart	J. Tart
	Mayor Snipes

Motion to condition failed.

Motion by Council Member Joey Tart, seconded by Council Member Billy Tart to approve CUP #01-06 based on the above findings of fact with no conditions. **Motion unanimously approved.**

**ORDINANCE AMENDMENT REQUEST OA-04-06
FLOOD DAMAGE PREVENTION ORDINANCE**

This request is from the City Planning Department to replace the Flood Damage Prevention Ordinance contained in Chapter 9 with the new proposed model Flood Damage Prevention Ordinance as presented.

This Ordinance change is required by the North Carolina Emergency Management and Federal Emergency Management Agency, with an effective date of October 3, 2006 to correspond with the new FIRM (Flood Insurance Rate Map).

The Planning Board met on August 15, 2006 and recommended approval of this request.

Motion by Mayor Pro Tem Olds, seconded by Council Member Godwin to approve the request by the Planning Department to replace the existing Flood Damage Prevention Ordinance (Chapter 9, in the City Code) with the Ordinance proposed. **Motion unanimously approved.** *A copy of OA-04-06 Flood Damage Prevention Ordinance is filed in the Ordinance Book as 02006-06.*

**ORDER OF COLLECTIONS
AUTHORIZATION TO TAX COLLECTOR**

Pursuant to G.S. 105-352, attached is an Order of Collections which authorizes Tax Collector Shannon McIntyre to collect the taxes set forth in the 2006 tax records filed in the office of the Tax Collector.

Motion by Council Member Galbreath, seconded by Mayor Pro Tem Olds to approve an Order of Collections authorizing Tax Collector Shannon McIntyre to collect the taxes set forth in the 2006 tax records filed in the office of the Tax Collector. **Motion unanimously approved.** *A copy of this Order of Collections is incorporated into these minutes as Attachment #6.*

**AWARD BID TO PURCHASE
POLICE DEPARTMENT
ANIMAL CONTROL TRUCK**

Funds were allocated during the F/Y 2006-2007 budget, for the purchase of an animal control truck for the Police Department.

Price quotes were received and are as follows:

Bleecker Chevrolet Dunn, NC	\$12,950.00 less \$500 rebate = \$12,450.00
Dorman Cadillac-GMC Dunn, NC	\$15,235.00
Dunn-Benson Ford Dunn, NC	\$14,766.50

After reviewing the bids, Bleecker Chevrolet submitted the lowest bid of \$12,950 plus tax and tags.

Manager Autry informed the Council that a call was received from Bleecker Chevrolet offering a \$500.00 rebate which would reduce the cost to \$12,450.00.

Motion by Council Member Galbreath, seconded by Council Member Billy Tart to award the bid to Bleecker Chevrolet for the purchase of an animal control truck for the Police Department in the amount of \$12,450.00. **Motion unanimously approved.**

**TEMPORARY STREET CLOSING
100TH BLOCK OF S. WILSON AVENUE
AND 200TH BLOCK OF E. BROAD STREET**

During the August 3, 2006 Council meeting, this temporary street closure was approved for Thursday, August 31, 2006; however, due to an impending storm and inclement weather, this event had to be postponed.

The Council is being asked to approve the same street closures from 5:00 p.m. – 10:00 p.m. on Thursday, September 14, 2006 for an event called “Boogie Down on Broad Street.”

Motion by Council Member Joey Tart, seconded by Mayor Pro Tem Olds to approve the temporary street closing of the 100th block of S. Wilson Avenue and 200th block of E. Broad Street for a family fun night in Downtown Dunn on September 14, 2006 from 5:00 p.m. – 10:00 p.m. called “Boogie Down on Broad Street.” **Motion unanimously approved.**

**TEMPORARY STREET CLOSING
THE WORKING GROUP**

Manager Autry stated that Ms. Millicent Massey is requesting the temporary street closing of North Lee Avenue from Harnett Street to Broad Street on Saturday, September 9, 2006 from 10:00 a.m. – 8:00 p.m.

Motion by Mayor Pro Tem Olds, seconded by Council Member Galbreath to approve the requested temporary street closing upon completion and submittal of the proper paperwork for this request. **Motion unanimously approved.**

ADMINISTRATIVE REPORTS

Motion by Council Member Galbreath, seconded by Council Member Billy Tart to approve the Administrative Reports. **Motion unanimously approved.**

EXECUTIVE REPORTS

Council Member Godwin brought attention to an article in the publication Popular Government regarding the Town of Asheville's downtown revitalization. The Town of Asheville accomplished an extensive downtown revitalization that increased downtown property tax values by 700% over a twenty year period.

Council Member Godwin suggested that Manager Autry bring back before the Council, an agenda item to discuss the idea of imposing a curfew in town.

Council Member Maness reminded everyone of upcoming events. Thursday morning, September 14, 2006, renowned speaker John Maxwell will be speaking from 9:00 a.m. -12:00 noon at Heritage Bible College. Also this month, students gather around the flag poles for "See you at the Poles" and encouraged parents of school aged children to attend their local school for this event.

Mayor Pro Tem Olds congratulated Ms. Massey and The Working Group for organizing the upcoming event on Saturday, September 14th and for their efforts to help those in need. He encouraged the citizens of Dunn to come out and support her. He also praised the citizens of Dunn for the manner in which they have worked together in various meetings to address issues that have come before the City. Working together works.

Council Member Galbreath announced that as a result of the recent events experienced in the City over the past few months relating to gang activity, the Dunn PAL Advisory Board will hold a meeting on Monday, September 11, 2006 at 6:30 p.m. at the PAL Center at 610 E. Johnson Street. All area church pastors are invited to come out and discuss some plans of actions as to how to take back the streets and work with youth to turn negative activity into positive. He concurred with Council Member Godwin in taking action.

Council Member Galbreath announced that on Saturday, September 23, 2006 beginning at 11:00 a.m., the PAL Advisory Board along with other members of the Police Department and community will hold a graffiti cleanup day. He invited the Mayor, Council members, and citizens to come out and join him at the PAL Center.

Manager Autry reminded the Council of the North Carolina League of Municipality (NCLM) meeting on October 14-17, 2006 in Greensboro. If interested, please advise the City Clerk by September 13, 2006.

Mayor Pro Tem Olds stated that local municipalities have an opportunity to sponsor a youth at the youth summit held during the NCLM meeting. Mr. Olds announced that the City of Dunn is sponsoring a youth from Triton this year and he will pay all of her registration fees.

Mayor Snipes announced that on Monday, September 18th from 5:30 p.m.- 7:30 p.m., a reception will be held at Triangle South, 600 S. Magnolia Avenue, to honor newly appointed/elected City Manager Ronnie Autry. He invited all City employees/spouses and citizens to this event.

With no further business to discuss, the meeting was adjourned at 8:35 p.m.

J. Dal Snipes
Mayor

Attest:

Debra G. West
City Clerk